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PATENT

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Lillian Pillitteri

Lillian Pillitteri

Serial No. 11/110,535
Filed: April 20, 2005
Art Unit: 1751
Examiner:
Applicant: Ogden et al.
Title: FABRIC SOFTENER SYSTEM AND METHOD FOR USE
IN CLOTHES DRYER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

Attached is a Notice to File Missing Parts of Nonprovisional Application for the above-identified application, and a copy of the filing receipt for such application. The PTO identifies this application as a continuation-in-part of application 10/119,343, now abandoned, and lists a filing date of April 20, 2005. The applicants did not file this application, and it appears that the PTO has made an error.

The applicants filed Serial No. 10/826,975 on April 16, 2004, which is a continuation-in-part of application 10/119,343, now abandoned. Attached is a Filing Receipt for the '975 application, and a Notice of Publication. A Response to Notice to File Missing Parts was filed September 28, 2004, together with a Declaration duly executed by all of the applicants. See attached copies. The PTO issued a Notice of Non-Compliant Amendment for the '975 application, and the applicants filed a response on April 20, 2005. See attached copies. The present status of the '975 application is that applicants are awaiting receipt of the initial Office Action.

It is respectfully requested that the PTO confirm an error was made in assigning an application number 11/110,535 to the continuation-in-part application, and that application

number 10/826,975 is proceeding toward a examination as noted above. The PTO is urged to contact the undersigned directly if any further information is required.

Respectfully submitted,

HOLLAND & KNIGHT LLP

CUSTOMER NO. 23573

By Thomas L. Kautz

Thomas L. Kautz, Reg. No. 28,726

One East Broward Blvd.
Suite 1300
Fort Lauderdale, FL 33301
Tele: (954) 468-7847
Fax: (954) 463-2030

3079912_v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/110,535	04/20/2005	J. Michael Ogden	48621.B

CONFIRMATION NO. 2638

Thomas L. Kautz
 Holland & Knight LLP
 One East Broward Boulevard, Suite 1300
 P.O. Box 14070
 Ft. Lauderdale, FL 33302-4070

FORMALITIES LETTER



"0000000016023574"

Date Mailed: 05/13/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

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MAY 17 2005

*A copy of this notice **MUST** be returned with the reply.*

Nym

Office of Initial Patent Examination (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY

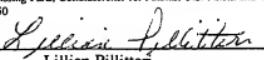


EL626299597US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this paper or fee is being deposited with the United States Postal Service on September 28, 2004 as "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, Mailing Label Number EL626299597US, addressed to: Mail Stop Missing Part, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450


Lillian Pillitteri

Serial No.: 10/826,975
Filed: April 16, 2004
Art Unit:
Examiner:
Applicant: Ogden et al.
Title: FABRIC SOFTENER SYSTEM AND METHOD FOR USE
IN CLOTHES DRYER

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

Responsive to the Notice To File Missing Parts Of Nonprovisional Application (Filing Date Granted) mailed on June 29, 2004 and entered in the above-identified application, Applicant submits herewith an executed Declaration and Power of Attorney to overcome the defect in the application identified in the Notice. Applicant further encloses a check in the amount of \$120.00 to cover the surcharge set forth in 37 CFR 1.16(e) and a one-month extension of time for the late filing of same.

The Commissioner is hereby authorized to charge any underpayment in fees or credit any overpayment to undersigned's Deposit Account No. 08-2625. A copy of the Notice to File Missing Parts is attached.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By 
Thomas L. Kautz, Reg. No. 28,726

CUSTOMER NO. 23573

2284207_v1



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APPL NO.	FILING OR. 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
11/110,535	04/20/2005	1751	1225	48621.B		41	5

CONFIRMATION NO. 2638

Thomas L. Kautz
 Holland & Knight LLP
 One East Broward Boulevard, Suite 1300
 P.O. Box 14070
 Ft. Lauderdale, FL 33302-4070

FILING RECEIPT



OC000000016023573

Date Mailed: 05/13/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections (if appropriate).

Applicant(s)

J. Michael Ogden, Residence Not Provided;
 Robert O. Stiens, Residence Not Provided;
 Thomas J. Stiens, Residence Not Provided;
 Richard J. Stiens, Residence Not Provided;

Assignment For Published Patent Application

Ogden & Company, Inc.

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CIP of 10/119,343 04/08/2002 ABN

Foreign Applications

If Required, Foreign Filing License Granted: 05/13/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/110,535**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

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 MAY 17 2005

Early Publication Request: No

**** SMALL ENTITY ****

Title

Fabric softener system and method for use in clothes dryer

Preliminary Class

510

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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APPL. NO.	FILING OR 371 (C) DATE	ART UNIT	FIL. FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/826,975	04/16/2004	1751	725	48621.0		41	5

CONFIRMATION NO. 2266

23573
HOLLAND & KNIGHT, LLP
ONE EAST BROWARD BLVD.
SUITE 1300
FT LAUDERDALE, FL 33301

✓ UPDATED FILING RECEIPT



OC000000014099274

Date Mailed: 10/18/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

J. Michael Ogden, Cincinnati, OH;
Robert O. Stiens, West Chester, OH;
Thomas J. Stiens, Edgewood, KY;
Richard J. Stiens, Estes Park, CO;

Assignment For Published Patent Application

Odgen & Company, Inc.

Power of Attorney:

Thomas Kautz--28726
Donald Showalter--33033

Domestic Priority data as claimed by applicant

This application is a CIP of 10/119,343 04/08/2002 ABN

Foreign Applications

If Required, Foreign Filing License Granted: 06/28/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/826,975

Projected Publication Date: 01/27/2005

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Fabric softener system and method for use in clothes dryer

Preliminary Class

510

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).





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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/826,975	04/16/2004	J. Michael Ogden	48621.B

23573
HOLLAND & KNIGHT, LLP
ONE EAST BROWARD BLVD.
SUITE 1300
FT LAUDERDALE, FL 33301

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OC000000015042599

Title: Fabric softener system and method for use in clothes dryer

Publication No. US-2005-0020475-A1

Publication Date: 01/27/2005

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

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FORT LAUDERDALE FL 33301-1804

Thomas L. Kattuz, Esq.
48621.C

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VIA EXPRESS MAIL LABEL NO. EL626299597US

Serial No.: 10/826,975
Filed: April 16, 2004
Applicant: Ogden et al.
Title: FABRIC SOFTENER SYSTEM AND METHOD FOR
USE IN CLOTHES DRYER
Enclosures: Transmittal of Notice to File Missing Parts
Declaration & Power of Attorney
Copy of Notice to File Missing Parts;
Check for \$120, One-month Extension of Time
Attorney TLK Docket No. 48621-C

Date September 28, 2004

Holland and Knight
PATENT & TRADEMARK DEPT.



Customer Copy
Last 111F July 1997

31

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Small Entity)

Docket No.
48621.C

In Re Application Of: J. Michael Ogden; Robert O. Stiens; Thomas J. Stiens; Richard J. Stiens

Application No. 10/826,975	Filing Date April 16, 2004	Examiner	Customer No. 23573	Group Art Unit	Confirmation No.
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Invention: **LAUNDRY SOFTENER SYSTEM AND METHOD FOR USE IN CLOTHES DRYER**



COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 29, 2004 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: August 29, 2004 until: September 29, 2004
Date

Applicant claims small entity status. See 37 CFR 1.27

The fee for the extension of time is \$55 and is to be paid as follows:

A check in the amount of the fee is enclosed.
 The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
 If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 08-2625
 Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Thomas L. Kautz
Signature

Dated: September 28, 2004

Thomas L. Kautz, Esq., Reg. No. 28,726
Holland & Knight LLP
One East Broward Boulevard
Suite 1300
Fort Lauderdale, Florida 33301

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 09/28/2004
(Date)

Lillian Pillitteri
Signature of Person Mailing Correspondence

Lillian Pillitteri

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: 401 D St., NW, Suite 400
 Washington, DC 20591-4590
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,975	04/16/2004	J. Michael Ogden	48621.B

23573
 HOLLAND & KNIGHT, LLP
 ONE EAST BROWARD BLVD.
 SUITE 1300
 FT LAUDERDALE, FL 33301

CONFIRMATION NO. 2266

FORMALITIES LETTER



OC000000013096007

Date Mailed: 06/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
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*A copy of this notice **MUST** be returned with the reply.*

Chris *for* *etru*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE